

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
FLORENCE DIVISION

Russell Dawson,	)	C/A No.: 4:17-2699-JFA
	)	
Petitioner,	)	
	)	
v.	)	
	)	<b>ORDER</b>
	)	
Warden of Broad River Correctional	)	
Institution,	)	
	)	
Respondent.	)	
	)	

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Russell Dawson (“Petitioner”), a state prisoner proceeding *pro se*, brings this action seeking a writ of habeas corpus pursuant to 28 U.S.C. § 2254. (ECF No. 1). He files this action *in forma pauperis* under 28 U.S.C. § 1915.<sup>1</sup> Pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Civil Rule 73.02 (D.S.C.), this case was referred to a Magistrate Judge for review.

The Magistrate Judge assigned to this action<sup>2</sup> has prepared a Report and Recommendation (“Report”) and opines that the Petition in this case be dismissed without prejudice and without requiring the Respondent to file a return. (ECF No. 23 p. 5). The Report sets forth in detail the relevant facts and standards of law on this matter, and the Court incorporates such without a recitation and without a hearing.

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<sup>1</sup> Because the Petition, (ECF No. 1), was filed pursuant to 28 U.S.C. § 1915, this Court is charged with screening Plaintiff’s lawsuit to identify cognizable claims or to dismiss the Petition if, after being liberally construed, it is frivolous, malicious, fails to state a claim upon which relief may be granted, or seeks monetary relief from a defendant who is immune from such relief. 28 U.S.C. § 1915(e)(2)(B).

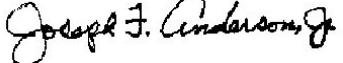
<sup>2</sup> The Magistrate Judge’s review is made in accordance with 28 U.S.C. § 636(b)(1)(B) and Local Civil Rule 73.02(B)(2)(c), (D.S.C.). The Magistrate Judge makes only a recommendation to this Court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with the Court. *Mathews v. Weber*, 423 U.S. 261 (1976). The Court is charged with making a *de novo* determination of those portions of the Report and Recommendation to which specific objection is made, and the Court may accept, reject, or modify, in whole or in part, the recommendation of the Magistrate Judge, or recommit the matter to the Magistrate Judge with instructions. See 28 U.S.C. § 636(b)(1).

The Petitioner was advised of his right to file objections to the Report, which was entered on the docket on February 28, 2018. (ECF No. 23). The Report provided that Petitioner had until March 14, 2018 to file objections to the Report. (ECF No. 23). That deadline has now expired, and the Petitioner failed to file any objections to the Report. In the absence of specific objections to the Magistrate Judge's Report, this Court is not required to give any explanation for adopting the recommendation. *See Camby v. Davis*, 718 F.2d 198, 199 (4th Cir. 1983).

After carefully reviewing the applicable laws, the record in this case, as well as the Report and Recommendation, the Court finds the Magistrate Judge's recommendation fairly and accurately summarizes the facts and applies the correct principles of law. Accordingly, this Court adopts the Report and Recommendation. Therefore, the Petition (ECF No. 1) is **dismissed** without prejudice and without requiring Respondent to file a return.

IT IS SO ORDERED.

March 19, 2018  
Columbia, South Carolina



Joseph F. Anderson, Jr.  
United States District Judge